

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE MARTINEZ-PENA,

Defendant.

8:16CR142

**FINAL ORDER OF FORFEITURE**

This matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. 86) and Index of Evidence (Filing No. 87). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On October 12, 2016, the Court entered a Preliminary Order of Forfeiture *Nunc Pro Tunc* (Filing No. 65), pursuant to the provisions of Title 21, United States Code, Sections 841 and 853, based upon the Defendant's plea of guilty to Count I and the Forfeiture Allegation of the Information filed herein. By way of said Preliminary Order of Forfeiture *Nunc Pro Tunc*, the Defendant's interest in a 2013 Dodge Ram 3500 Crew Cab SLT, VIN 3C63RRHL4DG613589, was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), for at least thirty consecutive days, beginning on October 13, 2016, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication was filed herein on December 13, 2016 (Filing No. 78).

3. By Order dated December 21, 2016 (Filing No. 83), this Court directed Wells Fargo Dealer Services to file a petition on or before January 31, 2017. The Court is advised, through the Plaintiff's Motion and its counsel's affidavit, Wells Fargo representatives were made aware of the Court's December 21, 2016 Order.

4. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

5. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the 2013 Dodge Ram 3500 Crew Cab SLT, VIN 3C63RRHL4DG613589, held by any person or entity are hereby forever barred and foreclosed. The secured interest Wells Fargo Dealer Services has in said vehicle is hereby extinguished. The lien Wells Fargo Dealer Services has on the title to the vehicle is hereby declared null and void.

C. The 2013 Dodge Ram 3500 Crew Cab SLT, VIN 3C63RRHL4DG613589, be, and the same hereby is, forfeited to the United States of America.

D. The United States is directed to dispose of said vehicle in accordance with law.

DATED this 7th day of March, 2017.

BY THE COURT:

s/ Joseph F. Bataillon  
Senior United States District Judge